

UNITED STATES DISTRICT COURT

for the

Middle District of Georgia

United States of America

v.

Yolanda Brown Thomas

Date of Original Judgment: 12/22/2022

Date of Previous Amended Judgment: N/A

(Use Date of Last Amended Judgment if Any)

Case No: 4:20-CR-00032-004

USM No: 13324-509

Jennifer A. Curry

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2) (Amendment 821)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by Amendment 821 to the *United States Sentencing Guidelines*, and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 63 months is reduced to 57 months.

Yolanda Brown Thomas was originally sentenced on December 15, 2022, to a term of 63 months imprisonment and a three-year term of supervised release, for the offenses of Conspiracy to Commit Wire Fraud, Wire Fraud, and Financial Aid Fraud. Her total offense level was determined to be 26 with a criminal history category I, which yielded an advisory sentencing range of 63 to 78 months. The Court also imposed restitution in the amount of \$11,821,022 and a \$1,000 mandatory assessment. She presently has a projected release date of December 29, 2026.

Based on Part B, subchapter 1 of Amendment 821 of the United States Sentencing Guidelines, the defendant is eligible for a two-level reduction under the newly created provision found at USSG § 4C1.1(a) for certain zero-point offenders. Such a reduction would result in a total offense level 24 with a criminal history category I, which yields an advisory sentencing range of 51 to 63 months.

On December 24, 2022, the defendant filed a Notice of Appeal. While the appeal was pending, the Court lacked jurisdiction. On September 4, 2024, the U.S. Court of Appeals affirmed the decision of the District Court. Therefore, the Court now has jurisdiction to grant the motion from the defendant that was filed on January 8, 2024. The government concurs that the defendant is eligible for sentence reduction and recommends a sentence of 57 months. The U.S. Probation Office agrees with the government and recommends a sentence reduction of 6 months, which results in a new imprisonment sentence of 57 months. Therefore, the Court reduces the imprisonment portion of the sentence to 57 months.

Except as otherwise provided, all provisions of the judgment dated December 22, 2022 shall remain in effect.

IT IS SO ORDERED.

Order Date: 9/18/2024

S/Clay D. Land

Judge's signature

Effective Date:

(if different from order date)

Clay D. Land, U.S. District Judge

Printed name and title